

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No. 74970

Kim Il Kyung
Cha Yong Hwan
449 Wayman Lane
Virginia Beach VA 23454

56 Mellor Avenue

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on September 1, 2010, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 35-6-105, 35-6-112: Respondent has not obtained a rental housing license for rental property known as 56 Mellor Avenue, 21228.

On August 4, 2010, pursuant to § 3-6-205, Baltimore County Code, Inspector Claudia Fischer issued a Code Enforcement citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on October 13, 2009. A Citation was issued on December 7, 2009 and a \$1,000.00 civil penalty was billed on March 26, 2010.

B. This Citation was issued on August 4, 2010. Review of the file shows no response from the property owner. Baltimore County law requires landlords to obtain a valid Rental Housing License before this residential property may be rented. This Citation will be enforced.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violation has been corrected.

ORDERED this 16th day of September 2010

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer